IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.21859 of 2008

RAJU MANDAL @ RAJU KUMAR MADAL & ORS
Versus
THE STATE OF BIHAR

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3. 21.8.2008 Heard the learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in connection with S.C./S.T. P.S. Case No.23/08 for the alleged offences registered under sections 379, 323 and 504 of the Indian Penal Code and sections 3(i)(x)(xi) of the S.C. & S.T. Act

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It is submitted on behalf of the petitioners that the present case has been lodged for ulterior purposes in retaliation to the earlier case lodged by the wife of petitioner no.1 against the informant for his misbehaviour, assault and theft etc., which would appear from the complaint, vide Annexure 2. It is further submitted that the allegation levelled in the present case does not attract any of the offences under the aforesaid provisions of the S.C. & S.T. Act.

Considering the above, it is directed that petitioners no.1 to 5, namely, Raju Mandal@ Raju Kumar Mandal, Kamaleshari Mandal, Nand Kishor Mandal @ Kishor Mandal,

Sumanti Devi and Nandan Mandal, in the event of their arrest or surrender in connection with S.C./S.T. P.S. Case No.23/08, within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten thousand)each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

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PNM **(Shailesh Kumar Sinha, J.)**